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### LISTING OF THE CLAIMS

1                   1. (Previously Amended) A method for alerting a  
2     calling party of a delay before an incoming call will be answered  
3     by a user of a called telecommunication terminal, comprising  
4     the steps of:  
5                    answering the incoming call by the telecommunication  
6     terminal in response to an input from the user when the  
7     telecommunication terminal is not engaged in another call;  
8                    muting an audio path of the answered call from  
9     communication with the user;  
10                  receiving a time specifying the delay from the user  
11     after the incoming call is received;  
12                  inserting the time into a predefined message; and  
13                  transmitting the predefined message that is selected  
14     by the user to the calling party.

1                   2. (Original) The method of claim 1 further comprises  
2     the step of maintaining the incoming call from the calling party  
3     with the audio path muted to the user; and  
4                    allowing audio communication by the user with calling  
5     party in response to another input from the user.

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1                   3. (Previously Amended) A method for alerting a  
2   calling party of a delay before an incoming call will be answered  
3   by a user of a called telecommunication terminal, comprising  
4   the steps of:  
5                    answering the incoming call by the telecommunication  
6   terminal in response to an input from the user when the  
7   telecommunication terminal is not engaged in another call;  
8                    muting an audio path of the answered call from  
9   communication with the user;  
10                  transmitting a message that is selected by the user to  
11   the calling party; and  
12                  terminating the incoming call after transmission of the  
13   message.

1                   4. (Original) The method of claim 1 wherein the  
2   message is an audio message and the audio message is  
3   transmitted via the audio path to the calling party.

1                   5. (Canceled)

1                   6. (Previously Amended) The method of claim 1  
2   wherein the step of inserting comprises converting the time to  
3   audio information for insertion into the predefined message.

1                   7. (Original) The method of claim 6 further comprises  
2   the step of recording the predefined message.

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1           8. (Original) The method of claim 1 wherein the  
2   message is a text message.

1           9. (Canceled)

1           10. (Original) The method of claim 8 wherein the  
2   transmission of the text message is via a text messaging link.

1           11. (Previously Amended) The method of claim 8  
2   further comprises the step of entering the predefined message.

1           12. (Currently Amended) A method for alerting a  
2   calling party of a delay before an incoming call will be answered  
3   by a user of a called wireless handset, comprising the steps of:  
4           answering the incoming call by the wireless handset in  
5   response to ~~one of at least an input from the user or a~~  
6   predefined amount of movement of the wireless handset when  
7   the telecommunication terminal is not engaged in another call;  
8           muting an audio path of the answered call from  
9   communication with the user; and  
10          transmitting a message that is selected by the user to  
11   the calling party.

1           13. (Original) The method of claim 12 further  
2   comprises the step of maintaining the incoming call from the  
3   calling party with the audio path muted to the user; and

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4                   allowing audio communication by the user with calling  
5 party in response to another input from the user.

1                   14. (Original) The method of claim 12 further  
2 comprises the step of terminating the incoming call after  
3 transmission of the message.

1                   15. (Original) The method of claim 12 wherein the  
2 message is an audio message and the audio message is  
3 transmitted via the audio path to the calling party.

1                   16. (Original) The method of claim 15 further  
2 comprises the steps of receiving a time specifying the delay;  
3 and  
4                   inserting the time into a predefined message.

1                   17. (Original) The method of claim 16 wherein the  
2 step of inserting comprises converting the time to audio  
3 information for insertion into the predefined message.

1                   18. (Original) The method of claim 17 further  
2 comprises the step of recording the predefined message.

1                   19. (Original) The method of claim 12 wherein the  
2 message is a text message.

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1           20. (Original) The method of claim 19 further  
2 comprises the steps of receiving a time specifying the delay;  
3 and  
4           inserting the time into a predefined message.

1           21. (Original) The method of claim 19 wherein the  
2 transmission of the text message is via a text messaging link.

1           22. (Original) The method of claim 20 further  
2 comprises the step of entering the predefined message.

1           23. (Previously Amended) A method for alerting a  
2 calling party of a delay before an incoming call will be answered  
3 by a user of a called telecommunication terminal, comprising  
4 the steps of:  
5           receiving a time specifying the delay from the user  
6 after the incoming call is received;  
7           transmitting a message including the time to a  
8 wireless switching system in response to the incoming call by  
9 the telecommunication terminal in response to an input from the  
10 user when the telecommunication terminal is not engaged in  
11 another call;  
12           inserting the time into a predefined message that is  
13 selected by the user to the calling party by the wireless  
14 switching system;

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15 transmitting by the wireless switching system the  
16 predefined message to the calling party; and  
17 placing the incoming call on hold by the wireless  
18 switching system.

1 24. (Original) The method of claim 23 further  
2 comprises the step of taking the incoming call off of hold and  
3 establishing audio communication between the user and calling  
4 party in response to another input from the user.

1 25. (Previously Amended) A method for alerting a  
2 calling party of a delay before an incoming call will be answered  
3 by a user of a called telecommunication terminal, comprising  
4 the steps of:

5 transmitting a message to a wireless switching system  
6 in response to the incoming call by the telecommunication  
7 terminal in response to an input from the user when the  
8 telecommunication terminal is not engaged in another call;  
9 transmitting by the wireless switching system a  
10 message to the calling party;  
11 placing the incoming call on hold by the wireless  
12 switching system; and  
13 terminating the incoming call after transmission of the  
14 message.

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1           26. (Original) The method of claim 23 wherein the  
2   message is an audio message and the audio message is  
3   transmitted via a voice messaging system.

1           27. (Canceled)

1           28. (Previously Amended) The method of claim 23  
2   wherein the step of inserting comprises converting the time to  
3   audio information for insertion into the predefined message.

1           29. (Original) The method of claim 28 further  
2   comprises the step of recording the predefined message by the  
3   user.

1           30. (Original) The method of claim 23 wherein the  
2   message is a text message.

1           31. (Canceled)

1           32. (Original) The method of claim 30 wherein the  
2   transmission of the text message is via a text messaging link.

1           33. (Previously Amended) The method of claim 30  
2   further comprises the step of entering the predefined message.

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1           34. (Currently Amended) A processor-readable  
2 medium for alerting a calling party of a delay before an  
3 incoming call will be answered by a user of a called wireless  
4 handset, comprising processor-executable instructions  
5 configured for:  
6           answering the incoming call by the wireless handset in  
7 response to ~~one of at least an input from the user or a~~  
8 predefined amount of movement of the wireless handset when  
9 the telecommunication terminal is not engaged in another call;  
10           muting an audio path of the answered call from  
11 communication with the user; and  
12           transmitting a message that is selected by the user to  
13 the calling party.

1           35. (Original) The processor-readable medium of  
2 claim 34 further comprises maintaining the incoming call from  
3 the calling party with the audio path muted to the user; and  
4           allowing audio communication by the user with calling  
5 party in response to another input from the user.

1           36. (Original) The processor-readable medium of  
2 claim 34 further comprises terminating the incoming call after  
3 transmission of the message.

1           37. (Original) The processor-readable medium of  
2 claim 34 wherein the message is an audio message and the

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3 audio message is transmitted via the audio path to the calling  
4 party.

1 38. (Original) The processor-readable medium of  
2 claim 37 further comprises receiving a time specifying the  
3 delay; and  
4 inserting the time into a predefined message.

1 39. (Original) The processor-readable medium of  
2 claim 38 wherein the inserting comprises converting the time to  
3 audio information for insertion into the predefined message.

1 40. (Original) The processor-readable medium of  
2 claim 39 further comprises recording the predefined message.

1 41. (Original) The processor-readable medium of  
2 claim 34 wherein the message is a text message.

1 42. (Original) The processor-readable medium of  
2 claim 41 further comprises receiving a time specifying the  
3 delay; and  
4 inserting the time into a predefined message.

1 43. (Original) The processor-readable medium of  
2 claim 41 wherein the transmission of the text message is via a  
3 text messaging link.

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1           44. (Original) The processor-readable medium of  
2 claim 42 further comprises entering the predefined message.

1           45. (Previously Amended) A processor-readable  
2 medium for alerting a calling party of a delay before an  
3 incoming call will be answered by a user of a called  
4 telecommunication terminal, comprising processor-executable  
5 instructions configured for:  
6           receiving a time specifying the delay from the user  
7 after the incoming call is received;  
8           transmitting a message including the time to a  
9 wireless switching system in response to the incoming call by  
10 the telecommunication terminal in response to an input from the  
11 user when the telecommunication terminal is not engaged in  
12 another call;  
13           inserting the time into a predefined message that is  
14 selected by the user to the calling party by the wireless  
15 switching system;  
16           transmitting by the wireless switching system the  
17 predefined message to the calling party; and  
18           placing the incoming call on hold by the wireless  
19 switching system.

1           46. (Original) The processor-readable medium of  
2 claim 45 further comprises taking the incoming call off of hold

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3 and establishing audio communication between the user and  
4 calling party in response to another input from the user.

1           47. (Previously Amended) A processor-readable  
2 medium for alerting a calling party of a delay before an  
3 incoming call will be answered by a user of a called  
4 telecommunication terminal, comprising processor-executable  
5 instructions configured for:  
6           transmitting a message to a wireless switching system  
7 in response to the incoming call by the telecommunication  
8 terminal in response to an input from the user when the  
9 telecommunication terminal is not engaged in another call;  
10          transmitting by the wireless switching system a  
11 message to the calling party;  
12          placing the incoming call on hold by the wireless  
13 switching system; and  
14          terminating the incoming call after transmission of the  
15 message.

1           48. (Original) The processor-readable medium of  
2 claim 45 wherein the message is an audio message and the  
3 audio message is transmitted via a voice messaging system.

1           49. (Canceled)

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1           50. (Previously Amended) The processor-readable  
2 medium of claim 45 wherein the inserting comprises converting  
3 the time to audio information for insertion into the predefined  
4 message.

1           51. (Original) The processor-readable medium of  
2 claim 50 further comprises recording the predefined message  
3 by the user.

1           52. (Original) The processor-readable medium of  
2 claim 45 wherein the message is a text message.

1           53. (Canceled)

1           54. (Original) The processor-readable medium of  
2 claim 52 wherein the transmission of the text message is via a  
3 text messaging link.

1           55. (Previously Amended) The processor-readable  
2 medium of claim 52 further comprises entering the predefined  
3 message.

1           56. (Original) An apparatus for alerting a calling party  
2 of a delay before an incoming call will be answered by a  
3 communication terminal, comprising:

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4 means for detecting the incoming call while the  
5 communication terminal is not engaged in another call;  
6 means for detecting movement of the communication  
7 terminal; and  
8 means for transmitting a message to the calling party  
9 upon detection of the incoming call and movement.

1 57. (Original) The apparatus of claim 56 wherein the  
2 means for transmitting comprises means for sending a textual  
3 message.

1 58. (Original) The apparatus of claim 56 wherein the  
2 means for transmitting comprises means for sending a textual  
3 message.

1 59. (Original) An apparatus for implementing the  
2 steps of claim 1.

1 60. (Original) An apparatus for implementing the  
2 steps of claim 12.

1 61. (Previously Added) The method of claim 3  
2 wherein the message is a predefined message and the method  
3 further comprises the steps of receiving a time specifying the  
4 delay before user returns the incoming call from the user after  
5 the incoming call is received; and

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6 inserting the time into a predefined message.

1 62. (Previously Added) The method of claim 25  
2 wherein the message is a predefined message and the method  
3 further comprises the steps of receiving a time specifying the  
4 delay before user returns the incoming call from the user after  
5 the incoming call is received; and  
6 inserting the time into a predefined message.

1 63. (Previously Added) The processor-readable  
2 medium claim 47 wherein the message is a predefined  
3 message and the method further comprises the steps of  
4 receiving a time specifying the delay before user returns the  
5 incoming call from the user after the incoming call is received;  
6 and  
7 inserting the time into a predefined message.